

this section that was not harmless. If such a finding is made, the court shall order a rehearing before a new arbitrator selected in the same manner as the original arbitrator as the exclusive judicial remedy provided by this section.

(d) **EFFECTIVE DATE.**—This section shall apply to any contract entered into after the date that is 6 months after the date of enactment of this Act.

SEC. 3. LIMITATION ON CLAIMS.

Except as otherwise expressly provided in this Act, nothing in this Act may be construed to be the basis for any claim in law or equity.

AMENDMENTS SUBMITTED & PROPOSED

SA 4847. Mr. LIEBERMAN submitted an amendment intended to be proposed to amendment SA 4738 proposed by Mr. GRAMM (for himself, Mr. MILLER, Mr. McCONNELL, Mr. THOMPSON, Mr. STEVENS, Mr. HAGEL, Mr. HUTCHINSON, and Mr. BUNNING) to the amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.

SA 4848. Mr. HOLLINGS (for himself, Mr. MCCAIN, Mr. REID, Mr. JEFFORDS, Mr. CARPER, and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4849. Mr. INOUE submitted an amendment intended to be proposed to amendment SA 4738 proposed by Mr. GRAMM (for himself, Mr. MILLER, Mr. McCONNELL, Mr. THOMPSON, Mr. STEVENS, Mr. HAGEL, Mr. HUTCHINSON, and Mr. BUNNING) to the amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4847. Mr. LIEBERMAN submitted an amendment intended to be proposed to amendment SA 4438 proposed by Mr. GRAMM (for himself, Mr. MILLER, Mr. McCONNELL, Mr. THOMPSON, Mr. STEVENS, Mr. HAGEL, Mr. HUTCHINSON, and Mr. BUNNING) to the amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Homeland Security and Combating Terrorism Act of 2002”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) **DIVISIONS.**—This Act is organized into 5 divisions as follows:

(1) Division A—National Homeland Security and Combating Terrorism.

(2) Division B—Immigration Reform, Accountability, and Security Enhancement Act of 2002.

(3) Division C—Federal Workforce Improvement.

(4) Division D—E-Government Act of 2002.

(5) Division E—Flight and Cabin Security on Passenger Aircraft.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—NATIONAL HOMELAND SECURITY AND COMBATING TERRORISM

Sec. 100. Definitions.

TITLE I—DEPARTMENT OF HOMELAND SECURITY

Subtitle A—Establishment of the Department of Homeland Security

Sec. 101. Establishment of the Department of Homeland Security.

Sec. 102. Secretary of Homeland Security.

Sec. 103. Deputy Secretary of Homeland Security.

Sec. 104. Under Secretary for Management.

Sec. 105. Assistant Secretaries.

Sec. 106. Inspector General.

Sec. 107. Chief Financial Officer.

Sec. 108. Chief Information Officer.

Sec. 109. General Counsel.

Sec. 110. Civil Rights Officer.

Sec. 111. Privacy Officer.

Sec. 112. Chief Human Capital Officer.

Sec. 113. Office of International Affairs.

Sec. 114. Executive Schedule positions.

Subtitle B—Establishment of Directorates and Offices

Sec. 131. Directorate of Border and Transportation Protection.

Sec. 132. Directorate of Intelligence.

Sec. 133. Directorate of Critical Infrastructure Protection.

Sec. 134. Directorate of Emergency Preparedness and Response.

Sec. 135. Directorate of Science and Technology.

Sec. 136. Directorate of Immigration Affairs.

Sec. 137. Office for State and Local Government Coordination.

Sec. 138. United States Secret Service.

Sec. 139. Border Coordination Working Group.

Sec. 140. Office for National Capital Region Coordination.

Sec. 141. Executive Schedule positions.

Sec. 142. Preserving Coast Guard mission performance.

Subtitle C—National Emergency Preparedness Enhancement

Sec. 151. Short title.

Sec. 152. Preparedness information and education.

Sec. 153. Pilot program.

Sec. 154. Designation of National Emergency Preparedness Week.

Subtitle D—Miscellaneous Provisions

Sec. 161. National Bio-Weapons Defense Analysis Center.

Sec. 162. Review of food safety.

Sec. 163. Exchange of employees between agencies and State or local governments.

Sec. 164. Whistleblower protection for Federal employees who are airport security screeners.

Sec. 165. Whistleblower protection for certain airport employees.

Sec. 166. Bioterrorism preparedness and response division.

Sec. 167. Coordination with the Department of Health and Human Services under the Public Health Service Act.

Sec. 168. Rail security enhancements.

Sec. 169. Grants for firefighting personnel.

Sec. 170. Review of transportation security enhancements.

Sec. 171. Interoperability of information systems.

Sec. 172. Extension of customs user fees.

Sec. 173. Conforming amendments regarding laws administered by the Secretary of Veterans Affairs.

Sec. 174. Prohibition on contracts with corporate expatriates.

Sec. 175. Transfer of certain agricultural inspection functions of the Department of Agriculture.

Sec. 176. Coordination of information and information technology.

Subtitle E—Transition Provisions

Sec. 181. Definitions.

Sec. 182. Transfer of agencies.

Sec. 183. Transitional authorities.

Sec. 184. Incidental transfers and transfer of related functions.

Sec. 185. Implementation progress reports and legislative recommendations.

Sec. 186. Transfer and allocation.

Sec. 187. Savings provisions.

Sec. 188. Transition plan.

Sec. 189. Use of appropriated funds.

Subtitle F—Administrative Provisions

Sec. 191. Reorganizations and delegations.

Sec. 192. Reporting requirements.

Sec. 193. Environmental protection, safety, and health requirements.

Sec. 194. Labor standards.

Sec. 195. Procurement of temporary and intermittent services.

Sec. 196. Preserving non-homeland security mission performance.

Sec. 197. Future Years Homeland Security Program.

Sec. 198. Protection of voluntarily furnished confidential information.

Sec. 199. Establishment of human resources management system.

Sec. 199A. Labor-management relations.

Sec. 199B. Authorization of appropriations.

TITLE II—LAW ENFORCEMENT POWERS OF INSPECTOR GENERAL AGENTS

Sec. 201. Law enforcement powers of Inspector General agents.

TITLE III—FEDERAL EMERGENCY PROCUREMENT FLEXIBILITY

Subtitle A—Temporary Flexibility for Certain Procurements

Sec. 301. Definition.

Sec. 302. Procurements for defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.

Sec. 303. Increased simplified acquisition threshold for procurements in support of humanitarian or peacekeeping operations or contingency operations.

Sec. 304. Increased micro-purchase threshold for certain procurements.

Sec. 305. Application of certain commercial items authorities to certain procurements.

Sec. 306. Use of streamlined procedures.

Sec. 307. Review and report by Comptroller General.

Subtitle B—Other Matters

Sec. 311. Identification of new entrants into the Federal marketplace.

TITLE IV—NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

Sec. 401. Establishment of Commission.

Sec. 402. Purposes.

Sec. 403. Composition of the Commission.

Sec. 404. Functions of the Commission.

Sec. 405. Powers of the Commission.

Sec. 406. Staff of the Commission.

Sec. 407. Compensation and travel expenses.

Sec. 408. Security clearances for Commission members and staff.

Sec. 409. Reports of the Commission; termination.

Sec. 410. Authorization of appropriations.

TITLE V—EFFECTIVE DATE

Sec. 501. Effective date.

DIVISION B—IMMIGRATION REFORM, ACCOUNTABILITY, AND SECURITY ENHANCEMENT ACT OF 2002

TITLE X—SHORT TITLE AND DEFINITIONS

Sec. 1001. Short title.

Sec. 1002. Definitions.